

TITLE V: PUBLIC WORKS

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CHAPTER 50: REFUSE

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GENERAL PROVISIONS

§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMBUSTIBLE REFUSE. Any refuse acceptable for incineration, including but not limited to the following:

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(1) **DEAD ANIMALS.** Carcasses of small animals, fish and fowl, but not including carcasses from large animals or from veterinary hospitals or clinics.

(2) **GARBAGE.** Waste resulting from the handling, preparation, cooking or spoiling of food. The term **GARBAGE** shall not include such wastes from food processing plants, large quantities of condemned food products or large quantities of wind-fallen fruit subject to rapid decomposition.

(3) **RUBBISH.** Wastepaper, empty tin cans and glass containers, if cleaned of contents, wood or wood products, if under three inches in diameter and four feet in length, and paper products, except magazines and books.

COMMERCIAL REFUSE. The rejected, unwanted or discarded or abandoned material generated by commercial establishments and uses, such as office buildings, personal service establishments, technical and scientific research facilities, professional service offices, clinics, multiple-family dwellings in excess of four units, such as apartments or condominiums, and the office waste from industrial and institutional establishments.

CONSTRUCTION REFUSE. All unwanted, rejected, discarded or abandoned materials resulting from the alterations, repair, demolition or construction of buildings or structures.

HAZARDOUS WASTE. Waste or a combination of waste and other discarded material, including solid, liquid, semi-solid or contained gaseous material which because of its quantity, quality, concentration or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or increase in serious irreversible illness or serious incapacitating but reversible illness or pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed of or otherwise managed. **HAZARDOUS WASTE** does not include material which is solid or dissolved material in domestic sewage discharge or solid or dissolved material in an irrigation return flow discharge or industrial discharge which is a point source subject to permits under Section 402 of the Clean Water Act of 1977, 33 USC 1342, or is a source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, 42 USC 2011 to 2282.

INDUSTRIAL REFUSE. The rejected, unwanted, discarded or abandoned materials resulting from industrial and institutional operations other than office waste, such as is generally identified with manufacturing, assembling, processing and distributing plants, hospitals, clinics and other institutional uses which generate large quantities of refuse.

NONCOMBUSTIBLE REFUSE. Any refuse not acceptable for incineration, including but not limited to the following.

(1) **ASHES.** Residue from fires used for household heating or cooking domestic incinerators. This term does not include ashes produced by factories or plants, hotels or apartment houses.

(2) **METAL.** All metal or metal products, except tin can containers.

(3) **RUBBISH.** Books, magazines, glass, except small food containers, crockery, stones, concrete and all other such materials not herein defined.

(4) **YARD WASTES.** Large tree or shrub branches, clippings, weeds, leaves, sod, dirt, manure and other vegetative wastes resulting from landscaping and other yard care.
(Ord. 198, passed 4-21-97)

§ 50.02 CONSTRUCTION AND ENFORCEMENT.

(A) The City Council is authorized to make such rules and regulations as from time to time appear to be necessary to carry out the intent of this chapter, provided that such rules are not in conflict with this chapter or any other ordinance or law of the city or state or federal government.

(B) It is the intent of the City Council that this chapter be liberally construed for the purpose of providing a sanitary and satisfactory method of preparation, collection and disposal of municipal waste.

(C) The collection and removal of waste shall be under the supervision of the City Council or its authorized representative, and it shall be the duty of the City Manager or his or her authorized representative to enforce the provisions of this chapter.

(D) The City Manager or his or her authorized representative shall have the authority to deny collection services for failure to comply with the provisions of this chapter.
(Ord. 198, passed 4-21-97)

COLLECTION

§ 50.15 RECEPTACLES.

(A) It shall be the duty of every owner, tenant or occupant of any buildings and other owner of any property or use which generates refuse to provide receptacles of sufficient size to hold the accumulated refuse between scheduled refuse collections.

(B) Stationary receptacles, large steel drums, paint pails, cut-down barrels or containers with rough or sharp edges and other containers of a like nature are not approved receptacles and collection may not be made when such receptacles are used.

(C) Receptacles that are broken, in disrepair or with holes in the sides or bottoms or which otherwise fail to meet the requirements of this chapter may be deemed to be rubbish and may be collected as such without notice to the users.

(D) Refuse placed in receptacles that exceed the weight limitations or otherwise do not conform to the provisions of this chapter may not be collected.

(E) The city and its contractors shall not be responsible for collection of waste materials frozen and adhering to the receptacle or for any damage to receptacles which results therefrom.

(F) The following shall be approved receptacles for residential refuse:

(1) Portable, watertight and vermin-proof containers of substantial construction with handles or bails and a tight-fitting cover. These containers are to have a capacity of at least ten gallons but not more than 30 gallons, and each must not exceed 50 pounds in weight when full, provided that carts with mechanical attachments shall also be acceptable when not exceeding 96 gallons in size;

(2) Plastic bags which are securely tied and of sufficient strength to contain their contents and which do not exceed 40 pounds in weight when full;

(3) Rubbish which cannot be contained in receptacles is acceptable for collection if securely tied in compact bundles and not exceeding 50 pounds in weight, four feet in length and three feet in girth; this may include newspapers, bundled cardboard, wood and tree branches.

(G) The following provisions shall apply to commercial refuse:

(1) In every case where the owner, occupant or user of any premises shall accumulate less than one-quarter cubic yard of refuse within a one week period, the receptacles provisions outlined for residential use shall apply;

(2) In every case where the owner, occupant or user of any premises shall accumulate more than one-quarter cubic yard of refuse within any one week period, such owner, occupant or user shall provide a container or containers of the type designed to be handled mechanically by refuse collection trucks;

(3) Mechanical containers shall be of substantial metal construction, having tight-fitting covers and handles so that such container or containers may be unloaded into the refuse collection truck by the mechanical means provided by the truck. Containers shall be kept clean and in good condition at all times. Such mechanical containers in excess of 96 gallons in volume and 50 pounds in weight shall be maintained only on a concrete pad on the premises of the owner, occupant or user;

(4) All refuse or rubbish placed in mechanical collection containers shall be placed in plastic bags or bundled or packaged so that the contents will not spill, become airborne or become odorous, irrespective of the weather conditions;

(5) Quantities and regulations for mechanical type containers shall be determined by the City Council or its authorized representative;

(6) It is the intent of this chapter that the city shall not be responsible to provide refuse collection services for commercial businesses, unless specifically contracted for by the City Council.
(Ord. 198, passed 4-21-97)

§ 50.16 INTERFERENCE WITH RECEPTACLES.

No person, other than the owner of refuse receptacles or his or her agents or employees or licensees of the city, shall disturb, remove or attempt to remove refuse receptacles or their covers or disturb or remove or attempt to remove any refuse not in containers whether the same is on public or private property.
(Ord. 198, passed 4-21-97)

§ 50.17 PREPARATION FOR COLLECTION.

(A) Garbage must be thoroughly drained of liquids and be wrapped in several thicknesses of paper or placed in plastic bags before being placed in receptacles for collection.

(B) Bulky noncombustible items shall be placed in approved containers or tied in bundles to facilitate handling. Bulky items such as, but not limited to, hot water tanks, stoves, refrigerators, furniture, mattresses and other such items shall not be placed in mechanical containers.
(Ord. 198, passed 4-21-97)

§ 50.18 STORAGE, TRANSPORTATION, DISPOSAL OF HAZARDOUS WASTE.

Hazardous wastes shall be the responsibility of the producer or owner thereof and shall not be disposed of within the city or allowed to be stored or transported within the city without the written approval of the City Council or its authorized agent, and then only under the supervision of a person who is knowledgeable of the safety measures necessary to protect the public health and safety during the storing, transporting or disposing of hazardous waste.
(Ord. 198, passed 4-21-97)

§ 50.19 CURBSIDE COLLECTION.

(A) No refuse shall be placed at the curb or street for collection more than 18 hours prior to the morning of the time scheduled for collection, or after 3:00 p.m. on Fridays, unless arrangements have been made for pick-up within 18 hours after being placed for collection.

(B) After the collection of the container contents has been made, the empty container shall be removed from the curb or street and replaced on the owner's storage area as soon as possible, but in no case later than ten hours after collection of the refuse has been made.
(Ord. 198, passed 4-21-97)

§ 50.20 COLLECTION FEES.

(A) The fees for regularly scheduled refuse collection shall be charged to each residential user on a quarterly basis payable in advance at rates to be determined by resolution of the City Council after a public hearing.

(B) If it is necessary for the city to schedule a collection of refuse other than the regularly scheduled weekly residential collection of refuse due to ordinance violations or request by the property owner, the property owner shall be charged for the cost of collection plus a 10% administrative fee. The requesting property owner shall pay for such services prior to collection. This subsection shall not entitle an establishment to request special collection on a regular basis when such establishment is not located within the corporate limits of the city. All persons being charged for special collection services, except property owners requesting special service who must pay in advance, shall be invoiced by the city for the costs of the services and the administrative fee, and the invoiced amount shall be due no later than 30 days after the date of the invoice.

(C) All charges not paid on or before the due date shall be subject to an additional 10% late fee.

(D) All charges for garbage and rubbish service are hereby made a lien on all premises and property from which rubbish is collected. Whenever any charge for collection other than that regularly scheduled is made against any premises and that payment is delinquent for 30 days, the City Treasurer shall certify such delinquency to the City Assessor and such charges shall be entered upon the next tax roll, together with the cost of the lien and actual attorney fees as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as special assessments against such premises.

(E) Enforcement of the lien to collect the fees may not be the exclusive means of collection by the city, and the city may collect said fees in any manner permitted by law.

(F) In addition to other remedies herein provided, the city may discontinue garbage and rubbish collections to any premises for the nonpayment of charges when due; provided such discontinuance shall not be exempt or release the owner, tenant or occupant of the premises from any other penalties provided by this chapter.

(Ord. 198, passed 4-21-97)

REGULATIONS**§ 50.35 UNLAWFUL ACCUMULATION OF WIND-BLOWN REFUSE.**

It shall be unlawful to cause or permit to accumulate any dust, ashes or trash of such a material that it can be blown away by the wind anywhere in the city, excepting in a covered container.

(Ord. 198, passed 4-21-97) Penalty, see § 10.99

§ 50.36 HOT ASHES OR HOT COALS.

It shall be unlawful to place for collection any hot coals or ashes which could ignite trash in a receptacle or in the refuse collection vehicle.

(Ord. 198, passed 4-21-97) Penalty, see § 10.99

§ 50.37 DEPOSIT OF REFUSE.

(A) *General.* All refuse collected for disposal from within the corporate limits of the city shall be disposed of at such facilities as may be designated by the City Council or its authorized representative.

(B) *Public property.*

(1) It shall be unlawful to deposit or permit to deposit or permit to fall from any vehicle any garbage, refuse, building materials, rubbish or ashes on any public street or alley or public place in the city; provided that this subsection shall not be construed to prohibit placing garbage or ashes in a container or receptacle complying with the requirements of this chapter preparatory to having such material collected and disposed of in the manner provided herein.

(2) No person shall deposit or cause to be deposited, sort, scatter or leave any rubbish, refuse, building materials, garbage, ashes, cinders, grass, leaves, twigs, shrubs, manure, filth or other offensive materials or build or maintain any structure or thing whatsoever containing the same in any public street alley or public property in the city.

(C) *Private property.* It shall be unlawful to dump or place any garbage, refuse or ashes on any property within the city limits, without the written consent of the City Council or its authorized representative.

(Ord. 198, passed 4-21-97) Penalty, see § 10.99

§ 50.38 RIGHT OF OWNER OR PRODUCER TO DISPOSE OF HIS OWN REFUSE.

Nothing in this chapter shall be interpreted to prohibit or deny the owner or producer of refuse his or her right to dispose of his or her own refuse, if in so doing he or she does not violate any provisions of this chapter or any provisions of any state or federal law.

(Ord. 198, passed 4-21-97)

§ 50.39 BURYING OF REFUSE.

No person shall bury refuse within the corporation limits of the city unless the same shall be in conformance with the city ordinances and any applicable state and federal laws and regulations.

(Ord. 198, passed 4-21-97)

§ 50.40 PRIVATE COLLECTORS' LICENSE.

(A) No person shall engage in the business of collecting, transporting or disposing of refuse in the city without first obtaining a license therefor. The collector who has contracted with the city shall be deemed to be licensed by the city upon proper execution of a rubbish collection contract.

(B) No person shall contract with any other person to collect, transport or dispose of refuse within the corporate limits of the city unless such other person is duly licensed by the city to collect, transport and dispose of refuse.

(C) The license shall expire on the date provided for in the contract, unless revoked or suspended prior to that date.

(D) Application for a license shall be filed with the City Clerk in the form and manner as required by this section. The application shall include all information necessary to determine compliance with this chapter, including but not limited to:

(1) The full names, dates of birth, proof of identification, business addresses and residential addresses of all owners, proprietors, officers and managers of the applicant; and the names and addresses of each officer if the applicant is a corporation;

(2) The firm names under which the applicant intends to do business;

(3) Whether or not the applicant or person conducting or managing the applicant's business has been convicted of any crime, felony, misdemeanor or the violation of any municipal ordinance, and, if so, provide complete details on the nature of such violation.

(E) Each and every applicant for a license shall be in writing and filed with the City Clerk and shall be accompanied by the applicant fee established by resolution of the City Council.

(F) No such license shall be issued except upon determination by the City Council or its authorized representative that the equipment to be used conforms to the requirements of this chapter, that the applicant has not been convicted of larcenous felonies or violation of any law regarding waste disposal and that no current exclusive franchise license for waste collection is granted and in full force and effect for any other person or corporation which would bar the granting of the license. The City Council or its authorized representative may deny, suspend or revoke any license for violation of any provisions of this chapter or any other ordinance or law pertaining to such business or for such other cause as the Council or its representative shall deem reasonable. Prior revocation of a license shall be sufficient grounds for the refusal by the City Council or its designated representative to approve future licenses for the subject applicant.

(G) The applicant shall have the right to a hearing before the City Council on any action of denial, suspension or revocation, provided a written request therefor is filed with the City Clerk within seven days subsequent to the date provided in the notice of such denial, suspension or revocation. The City

Council may confirm such denial, suspension or revocation or may authorize and/or reinstate such license. The action of the City Council shall be final.

(H) It is intended that the granting of a license to perform specific refuse or waste collection within the city shall be deemed by the City Council to be an exclusive license to that contractor to perform the work outlined in the properly executed contract for work, unless otherwise determined in the sole discretion of the City Council.

(I) Such licenses granted under authority of this chapter shall not be transferable without the prior express written approval of the City Council or its designated representative.
(Ord. 198, passed 4-21-97)

§ 50.98 VIOLATIONS.

Any violations of this chapter are declared to be a public nuisance per se and shall be abated by order of a court of competent jurisdiction.
(Ord. 198, passed 4-21-97)

CHAPTER 51: WATER SYSTEM

Section

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§ 51.01 NECESSITY.

It is determined to be necessary for and to secure the public health, safety and welfare of the City of Standish and to provide for the benefit of its citizens a water filtration supply and distribution system under the provisions of Public Act 94 of 1933, being M.C.L.A. §§ 141.101-141.138, as amended. (Ord. 182, passed 3-22-93)

§ 51.02 FILTRATION PLANT.

(A) The City of Standish, as provided by Public Act 93 of 1933, shall operate and maintain a water plant for the purpose of filtration and purification of water. The City Manager or his or her designate shall give periodic reports to City Council on the condition and operation of the plant. Based on the reports City Council shall take any and all appropriate action to insure the efficient operation of the plant, including but not limited to the hiring of qualified personnel, purchasing of all necessary equipment, products and components and the review of procedures for the filtration and purification of water in accordance with State of Michigan laws, rules and regulations.

(B) Any person or persons found interfering, tampering or causing damage that interferes with the operation of the water plant shall be guilty of a misdemeanor.
(Ord. 182, passed 3-22-93) Penalty, see § 51.99

§ 51.03 WATER STORAGE AND RESERVE.

(A) The City of Standish shall own, operate and maintain a water supply reserve system. This system shall serve to allow the adequate storage of water based on consumption. The City Manager or his or her designate shall give periodic reports to City Council on the condition and adequacy of the system. City Council based on reports shall direct its engineers and/or its employees to render physical and/or operational changes necessary for the efficient supply and storage of water.

(B) In the event that City Council deems it necessary to expand, enlarge, renovate or repair the water supply reserve system, it shall direct its engineers to study and report on the most cost efficient and feasible ways of improving the system. The City of Standish shall exercise all laws necessary in securing property, public or private, for the improvements.
(Ord. 182, passed 3-22-93)

§ 51.04 RIGHTS-OF-WAY.

(A) The City of Standish shall own all rights-of-way necessary for the placement of water mains and water distribution system lines. Upon securing all right-of-way agreements and contracts, the City Clerk shall submit same to the Arenac County Register of Deeds for recording. The failure to record same shall not invalidate such documents.

(B) No person or persons, corporations, companies or units shall place in any right-of-way any buildings, fixture(s) or obstacles which shall interfere with or prevent the maintenance of any water main or water distribution line.

(C) The City of Standish shall not preclude any person(s) or parties from any responsibility in the damage of any water main or water distribution line that may have been caused intentionally or unintentionally within or out of the right-of-way.
(Ord. 182, passed 3-22-93)

§ 51.05 WATER DISTRIBUTION AND MAINS.

(A) As it finds necessary to deliver water through water mains and water distribution lines the city shall own, operate and maintain all the mains and lines within the City of Standish right-of-ways and all water mains and distribution lines servicing customers outside of the city limits.

(B) The City Council shall be given a periodic report by the City Manager and City Engineers of the condition, operation, maintenance and replacement of water mains and water distribution lines.

(C) All water main and water distribution line materials shall be in accordance with City of Standish engineering specifications and/or state law.

(D) It shall be a misdemeanor offense for any person or persons to construct or alter in any manner the unauthorized tap-in of any water main or water distribution line without first receiving a permit from the City of Standish.

(Ord. 182, passed 3-22-93) Penalty, see § 51.99

§ 51.06 HYDRANTS, VALVES AND FLUSHING.

(A) All hydrants and valves must be manufactured and installed in accordance with City of Standish engineering specifications and/or state law.

(B) The Water Distribution Operator shall cause at least twice annually that all fire hydrants are flushed and hydrants are pumped free of water.

(C) The Water Distribution Operator shall make periodic inspections of all water main valves for proper working function. The Water Distribution Operation shall report to the City Manager any valve deficiencies or necessary repairs.

(D) It shall be a misdemeanor for any person or persons to cause unauthorized use of a hydrant. No person or persons shall be allowed the free use of water through a hydrant or other source of city water. (Ord. 182, passed 3-22-93) Penalty, see § 51.99

§ 51.07 SWIMMING POOLS.

(A) Any swimming pool owner desirous of water for the use of such pool shall make separate arrangements with either the Fire Department or with a private water hauler for the purpose of filling swimming pool(s).

(B) Any swimming pool owner desiring to receive water from his or her residential service line may do so. The water consumed thereby shall be billed at the normal residential user rates based on the current quarterly charges.

(C) Prior to the deliver of water for swimming pools, owners must pay for the water in advance based upon the estimate of water to be delivered. (Ord. 182, passed 3-22-93)

§ 51.08 CROSS CONNECTIONS.

(A) The City of Standish adopts by reference the Water Supply Cross Connection Rules of the Michigan Department of Public Health, being R 325.431 to R 325.440 of the Michigan Administrative Code.

(B) It shall be the duty of the Standish Water Department to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Standish Water Department and as approved by the Michigan Department of Public Health.

(C) A representative of the Standish Water Department shall have the right to enter at any reasonable time upon any property served by a connection to the public water supply system of the City of Standish for the purpose of inspecting the piping system from cross connections. On request, the owner, lessees or occupants of any property so served shall furnish to the inspection agent any pertinent information regarding the piping system on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

(D) The Standish City Water Department is authorized and directed to discontinue water service after a reasonable notice to any property wherein any connection in violation of this chapter exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until cross connections have been eliminated in compliance with the provisions of this chapter.

(E) The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified in this chapter and by the State Plumbing Code and/or Health Code. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the City of Standish must be labeled in a conspicuous manner as non-potable or not for domestic use.

(Ord. 182, passed 3-22-93)

§ 51.09 BILLING AND FINANCE.

(A) A bill shall be sent to each water customer for the previous three months on July 1, October 1, January 1 and April 1 based on the amount of water consumed during that time period. If the need arises, the City Manager shall have the discretion to negotiate with water customers so as to cause billings to be sent to any water consumer for lesser periods of time.

(B) All bills shall be paid within 30 days of the date when bills are mailed.

(C) Any bill paid within 30 days shall become delinquent and a 10% penalty shall be added.

(D) (1) Charges for services provided by the System shall constitute a lien on the property served, and if not paid within six months after the same are due, the official or official in charge of the collection thereof shall, prior to April 1 of each year, certify to the City Assessing Officer the facts of such delinquency, whereupon the City Assessing Officer shall enter such delinquent charges upon the next general city tax roll as a charge against such premises and the same shall be collected and the line thereof enforced in the same manner as general city taxes against such premises are collected and the lien thereof enforced. Provided, however, where notice is given that tenant is responsible for such charges and service, as provided in Public Acts 94 of Michigan, 1933, § 21, being M.C.L.A. § 141.121, as amended, or where so determined by the city, no further services shall be rendered to such premises until a cash deposit of not less than \$100 shall have been made as security for payment of such charges and services. In the event an affidavit with respect to the execution of a lease providing that a lessor shall not be liable for payment to the city of water service, pursuant to Public Act 178 of 1939, being M.C.L.A. §§ 123.161-123.167, then the tenant named in said lease shall, before service is provided, pay to the city a cash deposit of not less than \$100 as security. Prior to billing any tenant mentioned in the lease, all previously outstanding billings to such premises shall be paid in full. In addition to other remedies provided, the city shall have the right to shut off and discontinue the supply of water to any premises for the nonpayment of water charges when due. If such charges are not paid within 15 days after becoming delinquent, then water service to such premises may be discontinued. Water service so discontinued shall not be restored until all sums then due and owing are received, plus a turn-on charge of \$10. Any security deposit referred to herein shall be refunded at the time of final billing to the person paying same or applied to such bill.

(2) The lien created by this chapter may be enforced by the city in the manner prescribed in the charge of the city, by the general laws of the state providing for the enforcement of tax liens or by this chapter.

(E) All water bills shall contain the water gallonage consumed in gallons and dollar amounts based on gallons.

(F) The water bill shall also reveal the portion of the bill which charges are collected and placed by the City of Standish. The bill will illustrate the amount billed to be receipted into an operations, maintenance and replacement fund. The bill shall also illustrate the amount billed to be receipted into a debt retirement fund for the purpose of any future capital project or purchase to improve, extend or expand. The City of Standish may at its option place a fee upon the water bill for tap in fees, delinquent amounts owed, interest, turn ons and turn offs, fees and other miscellaneous charges associated with either the consumption of water or distribution line thereof.

(G) The City Manager shall annually report to the Standish City Council the revenues and expenses and the overall financial condition of the Water Department. At such time the City Manager shall provide recommendations to the City Council to annually or periodically review the rates, fees and charges necessary for sufficient funds to operate. The Council shall annually have the right to ratify, adjust, increase or decrease all rates, fees or charges.

(Ord. 182, passed 3-22-93; Am. Ord. 182A, passed 11-22-93)

§ 51.10 EQUIPMENT.

(A) The City Manager or his or her designate shall annually inventory all equipment purchased by the Water Department and shall report to City Council the condition and expense associated with the equipment.

(B) The City Council may delegate to the City Manager duties, including the purchase and repair of any and all equipment necessary to insure a continuous supply of water.
(Ord. 182, passed 3-22-93)

§ 51.11 EMERGENCIES.

(A) Nothing contained within this chapter shall preclude the necessary authority of the Standish City Council or the Standish City Manager upon conferring with the available City Council members to declare an emergency which could result in temporary cessation of water supply and the distribution thereof.

(B) During periods of interruption of service, the Standish City Council, through its City Manager, shall take any and all necessary action to see that the interruption of service is minimized and further be allowed to utilize authority to oversee and coordinate repairs.
(Ord. 182, passed 3-22-93)

§ 51.12 TAP-IN.

(A) A person, firm, corporation or organization may make application to the City of Standish for water service.

(B) Upon approval of application, the City of Standish or its contractor shall make arrangements with the property owner as to the location of the proposed service line and the diameter of the line.

(C) Upon approval of application of water service but prior to installation, the property owner shall pay to the City of Standish a tap-in fee based on the estimated cost of installation. However, should the cost of installation exceed the estimated cost of installation, the City of Standish shall charge and send a bill in the amount of the cost excess over estimate.

(D) A person, firm, corporation or organization owning property outside the city limits of the City of Standish may make application for water service. However, the Standish City Council through its City Manager will make a determination on the physical and economical constraints and benefits of the proposed tap-in.

(E) The City of Standish reserves the right to refuse a tap-in or service when found any proposed tap-in or service could lead to short or long term harm to the City of Standish Water Department or the water system, both physically or economically.

(F) Prior to approval of tap-in or service of water outside the limits of the City of Standish to any person or entity, application for such service shall be made and, if approved, be made of record. All laws, rules, regulations or ordinances regulating the service of water outside the City of Standish shall be adhered to and the fact that the City of Standish may accept an application for water shall not in any way grant to such applicant any right to receive such service, the same being at the total and unlimited discretion of the City Council.

(G) Any person(s) firm, corporation or organization found to have made a tap-in without first having the permission, authorization or depositing a tap-in fee to the City of Standish shall be guilty of a misdemeanor.

(H) Prior to any excavation necessary for a tap-in, the person, firm or contractor shall contact any and all other public utilities so as to provide for the protection of those utilities. Further, the person(s), firm or contractor shall satisfy themselves to all underground conditions.

(I) Any person, firm or corporation utilizing city water shall make available to the city when requested any and all liability or casualty insurance coverage it may have and shall hold the City of Standish harmless for any and all damages or claims as a result of negligent use of the water used or negligent maintenance of water distribution apparatus on its premises.

(J) Any contractor for the City of Standish or any applicant requesting water service shall complete any and all necessary work in a timely and safe manner. Further, any contractor completing a water service tap-in shall restore all public and private properties to the original condition prior to excavation. (Ord. 182, passed 3-22-93) Penalty, see § 51.99

§ 51.13 METERING OF WATER.

(A) The City of Standish on a quarterly basis shall record the usage of water registered on a metering device approved by the City of Standish Water Department.

(B) The metering device shall record all water usage based on gallons consumed.

(C) The City of Standish shall furnish, at the expense of the customer, a metering device which will be a size calculated to the specified water line and diameter.

(D) Any person(s) or corporation(s) found to have tampered with the meter or to have caused destruction of the meter shall be guilty of a misdemeanor. In addition to paying the cost of the meter replacement, the City of Standish shall place on the next water bill a charge of water usage based on an average of past usage.

(E) The owner or consumer of water shall agree to allow City of Standish employees, contractors or agents to enter upon the property where the water is consumed for the purpose of inspection, replacement, repair or meter reading.

(F) When not able to enter upon the property where the water is consumed to read the meter to establish prior consumption, the City of Standish shall have the right to estimate the water bill based on prior water consumption. However, for the purpose of accuracy and sound accounting practices, the owner or consumer of water shall make arrangements with the City of Standish to have City of Standish employees enter onto the property to read the meter at least twice a year or once every six months.

(G) The owner of the property which shall consume water shall place the meter in a location as not to freeze or be damaged. The owner shall take any and all precautions as to the protection of all metering devices.

(H) When found that a meter has failed or has been damaged due to neglect, vandalism or freezing, the City of Standish shall make arrangements with the owner for replacement at the owner's expense. However, the City of Standish shall determine the circumstances surrounding the damage to the water meter and shall have the right to discontinue service at any time.

(Ord. 182, passed 3-22-93) Penalty, see § 51.99

§ 51.14 IMPROVEMENTS AND BONDS.

(A) When necessary to make improvements to the water system, the Standish City Council may authorize its Bond Counsel to cause the initiation of municipal bonds for public sale to finance the improvements.

(B) Any and all proceeds from a bond sale for a specific purpose shall be limited to those improvements in the water system.

(C) The City of Standish shall have the authority granted by the State of Michigan and the City of Standish Charter to issue municipal bonds for any improvements necessary for the efficient delivery of water.

(D) The City of Standish shall have the right to collect funds through the sale of water or through a property tax based on state equalized value.

(Ord. 182, passed 3-22-93)

§ 51.99 PENALTY.

Any person or customer found guilty of violating any of the provisions of this chapter, or any written order of the Standish Water Department, in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500 and/or 90 days in jail for each violation. Each day upon which a violation of the provisions of this chapter shall occur shall be deemed a separate and additional violation for the purpose of this chapter.

(Ord. 182, passed 3-22-93)